

HOUSE BILL 1959
By Lewis

AN ACT to amend Chapter 273 of the Private Acts of 1959, as amended by Chapter 241 of the Private Acts of 1961, Chapter 51 of the Private Acts of 1979, Chapter 127 of the Private Acts of 1983, Chapter 41 of the Private Acts of 1987, Chapter 49 of the Private Acts of 1995, and all other acts amendatory thereto, relative to the Charter of the City of Manchester.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 273 of the Private Acts of 1959, as amended by Chapter 241 of the Private Acts of 1961, Chapter 51 of the Private Acts of 1979, Chapter 127 of the Private Acts of 1983, Chapter 41 of the Private Acts of 1987, Chapter 49 of the Private Acts of 1995, and all other acts amendatory thereto, is amended in the fifth paragraph of Section 6 by deleting the language "Each ordinance amending an existing ordinance or Code shall state the section of the ordinance or Code as amended in its entirety. Each ordinance shall be passed on three separate days at regular, adjourned or special meetings. In the first two meetings a brief summary shall be given of the proposed ordinance, and the meeting shall be open for questions and discussion of it. It shall be read in its entirety at the third meeting before passage." and by substituting instead the following:

Each ordinance shall be passed on two (2) separate days at regular, adjourned or special meetings, held seventy-two (72) or more hours apart. At the first meeting, a brief summary shall be given of the proposed ordinance, and the meeting shall be open for questions and discussion of it. it shall be read in its entirety at the final meeting

59423639

59423639

003853

00385317

before passage, unless waived by a vote of five (5) of the Aldermen, in which case the ordinance may be considered after a brief summary.

SECTION 2. Chapter 273 of the Private Acts of 1959, as amended, is amended by adding as Section 7A the language of Chapter 52 of the Private Acts of 1981, in its entirety, entitled "An Act to authorize the City of Manchester to levy a privilege tax, and to provide for the application of tax revenue", thereby adopting it as a part of the charter. Sections of Chapter 52 of the Private Acts of 1981 shall be redesignated as subsections of Section 7A, as amended by this Act, denoted by numbers in parentheses.

SECTION 3. Chapter 273 of the Private Acts of 1959, as amended, is amended in Sections 9, 10, 11, 12, 13, 14, 15 and 16, by deleting the words "may be" from the second sentence of each section.

SECTION 4. Chapter 273 of the Private Acts of 1959, as amended, is amended in Section 17 by repealing the section in its entirety and by substituting instead the following:

"Board of education, director of schools, etc.

Sec. 17. Be it further enacted, that there shall be a Board of Education composed of five (5) members. To be eligible for service on the Board of Education, the person must be a resident and qualified voter of the City, and elected in the same manner as the Mayor and Aldermen and from the City at large without regard to the district in which any of them may live, to take office at the next meeting of the Board of Education following the election.

Each member of the Board of Education shall serve for a term of four (4) years, or until his or her successor is appointed and qualified, with seats 1 and 2 elected in 1995, and seats 3, 4 and 5 elected in 1997, and thereafter every four (4) years on a staggered term basis. The Board of Education shall receive such compensation as provided by ordinance. Before taking office, members of the Board of Education shall take the same oath prescribed for the Mayor and Aldermen and shall be subject to

removal for the same causes. Vacancies shall be determined by the Board of Mayor and Aldermen in the same manner as a vacancy on that Board.

The Board of Education shall provide for its own organization and rules of procedure, and shall keep a record of all its proceedings.

The Board of Education shall have control over the operation and maintenance of the school system and school property. At the beginning of each school year the Director of Schools shall submit to the Board of Mayor and Aldermen a maintenance plan which shall contain details and responsibilities of the maintenance of the physical plant of all facilities in the system. The schools shall at all times be operated and maintained so as to meet the requirements of State law provided for municipal Boards of Education. The Board of Education shall submit its portion of the City Budget to the Mayor and Board of Aldermen as provided in Section 7 of the Act. Within the limitations of the City budget, the Board of Education shall have the power to employ teachers and such other persons as in its discretion is necessary for the efficient operation of the schools, to fix their compensation, and to make all other necessary expenditures.

The Board of Education shall appoint a Director of Schools who shall be a person of education and experience, capable of performing functions imposed on municipal directors of schools by State law. Beginning in the year 2000, the Board of Education may employ a Director of Schools under a written contract of up to four (4) years, which may be renewed if the Board of Education so desires. Compensation and other matters relating to the Director of Schools shall be made as may be determined by resolution of the Board of Education provided however the Board of Mayor and Aldermen are informed of the details of such a resolution.

The Board of Education shall have the authority to purchase, sell or transfer school property. However, the erection of any classroom or other facility which shall house students shall be subject to the approval of the Board of Mayor and Aldermen. All

bonded indebtedness or other borrowing shall be by the action of the Board of Mayor and Aldermen upon recommendation of the Board of Education.

All children who are now or may hereafter be entitled under the laws of the State of Tennessee to attend the public schools in Coffee County and who reside within the corporate limits of the City of Manchester shall be entitled to attend city schools. Children living outside the City of Manchester may attend city schools under the terms and conditions of a tuition policy set by the Board of Mayor and Aldermen after consultation with the Board of Education. Said tuition shall be set with the passage of the annual budget of the City of Manchester and shall be valid for that fiscal year only. The number of such children paying tuition shall not exceed twenty percent (20%) of the total enrollment for the system at any time during the regular school year. At the beginning of each school year the Director of Schools shall submit a report on the number of such children to the Board of Mayor and Aldermen. The report shall contain the number of such children per classroom and grade level.

Receipt, custody and accounting for all school funds shall be the duty of the Finance Director. School funds shall be disbursed by the Finance Director only upon an order signed by a person authorized by the Board of Education. The Finance Director shall make required financial reports and any other reports requested by the Board of Education, and shall segregate school funds as required by law or ordinance.”

SECTION 5. Chapter 273 of the Private Acts of 1959, as amended, is amended in Section 18 of the Charter of the City of Manchester by deleting the language “two thousand dollars (\$2,000)” in the first sentence of that section and by substituting instead the language “five thousand dollars (\$5,000)”.

SECTION 6. Chapter 273 of the Private Acts of 1959, as amended, is amended in Section 11 of the Charter of the City of Manchester by deleting the section in its entirety, and by substituting instead the following:

“Finance Director: independent boards

Sec. 11. Be it further enacted, that the office of Finance Director is hereby established. The Finance Director shall be appointed by the Board of Mayor and Aldermen and shall be classified as an officer of the City and shall serve at the will of the Board. The salary of the Finance Director shall be as fixed by ordinance.

The immediate responsibility for the administration of all financial affairs of the city shall be that of the Finance Director. This person shall collect all taxes and receive all revenues, have custody of all funds and make all disbursements. The Board of Mayor and Aldermen may authorize any independent boards operating a utility, and to make all necessary and authorized disbursements. Reports may be either directed to the Board of Mayor and Aldermen or to the Finance Director to be incorporated with other financial reports.

The Finance Director shall perform all clerical duties not delegated to another officer or employee. This person shall act as clerk and secretary and shall attend all meetings of the Board of Mayor and Aldermen, and shall have custody of all public records and bonds. The Board may by ordinance provide a schedule of fees which the Finance Director shall charge for official services to individuals not given to the public generally.

SECTION 7. Chapter 273 of the Private Acts of 1959, as amended, is amended in the Sections 6 and 7A of the Charter of the City of Manchester by deleting the words "Recorder" or "Trustee" every time such words appear and by substituting instead the words "Finance Director".

SECTION 8. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the governing body of the City of Manchester. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Manchester and certified to the Secretary of State.

SECTION 9. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 8.

- AN ACT to amend Chapter 273 of the Private Acts of 1959, as amended by Chapter 241 of the Private Acts of 1961, Chapter 51 of the Private Acts of 1979, Chapter 127 of the Private Acts of 1983, Chapter 41 of the Private Acts of 1987, Chapter 49 of the Private Acts of 1995, and all other acts amendatory thereto, relative to the Charter of the City of Manchester.
- AN ACT to amend Chapter 273 of the Private Acts of 1959, as amended by Chapter 241 of the Private Acts of 1961, Chapter 51 of the Private Acts of 1979, Chapter 127 of the Private Acts of 1983, Chapter 41 of the Private Acts of 1987, Chapter 49 of the Private Acts of 1995, and all other acts amendatory thereto, relative to the Charter of the City of Manchester.
- AN ACT to amend Chapter 273 of the Private Acts of 1959, as amended by Chapter 241 of the Private Acts of 1961, Chapter 51 of the Private Acts of 1979, Chapter 127 of the Private Acts of 1983, Chapter 41 of the Private Acts of 1987, Chapter 49 of the Private Acts of 1995, and all other acts amendatory thereto, relative to the Charter of the City of Manchester.
- AN ACT to amend Chapter 273 of the Private Acts of 1959, as amended by Chapter 241 of the Private Acts of 1961, Chapter 51 of the Private Acts of 1979, Chapter 127 of the Private Acts of 1983, Chapter 41 of the Private Acts of 1987, Chapter 49 of the Private Acts of 1995, and all other acts amendatory thereto, relative to the Charter of the City of Manchester.